



UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF WYOMING

Minutes of Proceeding

Date: November 24, 2009

Honorable Peter J. McNiff, Presiding

Time: 9:00 a.m. To: 9:15 a.m.

Location: Telephone Conference

2:51 pm, 11/24/09

Tim J. Ellis
Clerk of Court

In re: **Aspen Development, LLC**

Case No. 09-20184
Chapter 11

Debtor.

	Appearances		
Trustee		Counsel	
Debtor(s)		Counsel	Hampton Young
Creditor	Pinnacle Bank	Counsel	Timothy Stubson

Proceedings: Hearing on Debtor's Motion for Reconsideration of Motion for Order granting Relief from the Automatic Stay and the objection filed by Pinnacle Bank

Young - The primary reason seeking reconsideration on two houses in Powell, Wyoming is to allow the debtor to sell the properties at fair market value and to accomplish an orderly liquidation.

Stubson - Aspen has not provided any new evidence to the court from the evidence presented at the hearing. Nothing is new. There has been no evidence that the debtors have done anything to market the properties and sell. The collateral is just sitting and the Debtor is asking for more time. Asks the Court to deny the motion.

Young - Until this motion is considered, the debtors have not been aggressive in marketing the properties..

Orders:

- ☐ Relief sought: ☐ Granted ☐ Denied ☐ Case Dismissed ☐ Continued:
☐ Matter taken under advisement
☒ Formal order or judgment to enter ☒ To be prepared by: T. Stubson
☐ These minutes constitute the court's official order in this matter

[X] This motion for reconsideration is treated as a motion to alter or amend under F.R.B.P 9023. The grounds to alter or amend a judgment include: an intervening change in controlling law; new evidence previously unavailable; the need to correct a clear error and prevent manifest injustice. The debtor has not met any of the grounds to alter or amend and therefore the motion is denied.

Date: November 24, 2009

FOR THE COURT:

By: 